IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 7337 of 1996

Between:

M. Venkateswara Rao S/o. Suryaprakash Rao
HAL, Hyderabad, R/o. Hyderabad.

..... PETITIONER

AND

1.Hindustan Aeronautics Limited, rep. by its General Manager, Balanagar, Hyderabad.

2.The Divisional Co-operative Officer,
Hyderabad West Rangareddy District Basheerbagh,
Hyderabad.

(wp against R1 is dismissed for default as per Court order dated 10.04.2000)

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus, (i) declaring the action of the 1st respondent in with holding release of arrears as communicated in his letter No. HAL/HD/401/2/IR, Dt. 13-3-1996 as illegal, arbitrary unsustainable and violative of Article 14 of the Constitution of India. (ii) declare the action of the 2nd respondent in passing instruction to the 1st respondent to withhold payments and trying to clarify the orders of this Hon'ble Court in W.P.No.17071 of 1993, Dt.1.4.1994 as illegal, and beyond the scope of and ambit of the powers vested in him, (iii) direct the respondent No.1 to release the arrears of the Revision of pay scales w.e.f. 1.1.1992 to 31.10.1993 along with the consequential arrears inrespect of Provident Fund & Encashment of Leave forthwith and (iv) also

direct that the petitioner is also entitled to receive interest on the amounts due at the rate of 18% from 1.1.1992 till the date of release of the same.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent: GP FOR COOPERATION

The Court made the following:

ORDER:

Having regard to the fact that the writ petition has already stood dismissed as against respondent No.1 as per court order dated 10.04.2000, against which the main writ petition is filed and without which no relief can be granted in favour of the petitioner, the writ petition is dismissed. No costs.

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30.11.2004

VGB

To

1 The Divisional Co-operative Officer,
Hyderabad West Rangareddy District Basheerbagh,
Hyderabad.

2 2CCs to the Government Pleader for Cooperation, High Court

Buildings, Hyderabad (OUT)

3 2CD copies